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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,636	11/25/2003	Robert M. Zeidman	8152P002	4253

8791 7590 01/25/2008
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SUNNYVALE, CA 94085-4040

EXAMINER

RUTTEN, JAMES D

ART UNIT	PAPER NUMBER
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2192

MAIL DATE	DELIVERY MODE
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01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/720,636

Applicant(s)

ZEIDMAN, ROBERT M.

Examiner

J. Derek Rutten

Art Unit

2192

All participants (applicant, applicant's representative, PTO personnel):

(1) J. Derek Rutten.

(3) Robert Zeidman.

(2) Marina Portnova, Reg. No. 45,750.

(4) _____.

Date of Interview: 08 January 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant

2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Proposed claim amendment.

Claim(s) discussed: 23,33 and 48.

Identification of prior art discussed: Amow and Heckel.

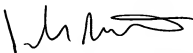
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Patent Examiner AV2192

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

As an initial matter, Mr. Rutten thanks Ms. Portnova and Mr. Zeidman for graciously agreeing to conduct the interview at a later time than originally planned.

Ms. Portnova inquired as to the suitability of proposed amended claim 33 in terms of statutory subject matter (35 U.S.C. 101). Ms. Portnova suggested that the term "storage medium" was used to indicate that such media was not directed to a wireless transmission medium. Mr. Rutten indicated that the proposed amendment of claim 33 appeared to overcome the 101 rejection.

Mr. Zeidman then provided a description of some differences in the prior art of record. He pointed out that the "differences" as disclosed by the diff tool of Arnow were not the same as the "similarity" in proposed amended claim 1. Mr. Rutten pointed out that the term "similar program elements" as used in claim 1 appeared to be indefinite. Ms. Portnova suggested that proposed new claim 48 provided clarification of the term "similar program elements".

Mr. Zeidman also discussed the differences in Heckel in terms of the limitation "regardless of an order of code lines" as claimed in previously presented claim 1. Mr. Zeidman agreed that Heckel looks for a matching sequence regardless of where he starts, but argued that Heckel was only interested in finding matching sequences of array elements, and was not directed to finding exhaustive matches of elements outside of a sequence. Mr. Rutten pointed out that the plain language of the claim merely called for a "comparison...regardless of an order," and that Heckel appeared to meet the limitation. In effect, Mr. Ziedman appeared to be arguing for limitations that were not present in the claims. Mr. Rutten suggested that a claim amendment incorporating such arguments as limitations would be necessary to overcome Heckel.